

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE L. ROBINSON,	)	
	)	Civil Action No. 13 – 684
Petitioner,	)	
	)	District Judge David S. Cercone
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
SUPERINTENDENT CAPOZZA, <i>et</i>	)	
<i>al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

George L. Robinson (“Petitioner”) initiated this action on May 15, 2013, by submitting for filing a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. The Petition was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

On October 24, 2014, Magistrate Judge Lenihan issued a Report and Recommendation, recommending that the Petition be dismissed as untimely and that a certificate of appealability be denied. Service was made on Petitioner, and he was informed that, in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, he had until November 10, 2014 to file objections to the Report and Recommendation. As of the date of this Order, Petitioner has not filed objections.

Therefore, after reviewing the pleadings and documents in this case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this <sup>th</sup>10 day of December, 2014,

**IT IS HEREBY ORDERED** that Magistrate Judge Lenihan's Report and Recommendation (ECF No. 13) is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus (ECF No. 1) is **DISMISSED AS UNTIMELY**.

**IT IS FURTHER ORDERED** that a Certificate of Appealability is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



David Stewart Cercone  
United States District Judge

cc: George L. Robinson  
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